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**DEC 29 2006**

**OFFICE OF PETITIONS**

In re Application of  
Justin Broughton  
Application No. 09/774,944  
Filed: January 30, 2001  
Atty Docket No.: 47524/P152US/IVLP

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ON PETITION

This is a decision on the petition, filed December 27, 2006, under 37 CFR 1.313(c)(2) to withdraw the above-identified application from issue after payment of the issue fee.

The petition is DISMISSED AS MOOT.

While petitioners indicate the issue fee was paid on December 8, 2006, a review of the record of this application fails to show that the issue fee was paid in response to the Notice of Allowance and Issue Fee Due mailed on October 3, 2006. Since the Request for Continued Examination (RCE) under 37 CFR 1.114 is filed within the period set for paying the issue fee (January 3, 2007), a petition to withdraw the application from issue under 37 CFR 1.313 is not necessary.

It is noted that the address given on the petition differs from the address of record. If appropriate, a change of address should be filed in this case in accordance with MPEP 601.03. A courtesy copy of this decision is being mailed to the address noted on the petition. However, until otherwise instructed, all future correspondence regarding this application will be mailed solely to the address of record.

Telephone inquiries relating to this decision should be directed to the undersigned at (571) 272-3204.

The application is being referred to Technology Center AU 2145 for processing the RCE filed December 27, 2006.

Sherry D. Brinkley  
Petitions Examiner  
Office of Petitions

cc: JODY C. BISHOP  
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